



**NATIONAL  
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**February 28, 2003**

**BEFORE THE  
U. S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

**Security Considerations for the  
Flightdeck on Foreign Operated  
Transport Category Airplanes**

**Docket No. FAA-2002-12504  
Amendment No. 129-36**

**COMMENT OF THE  
NATIONAL AVIATION BUSINESS ASSOCIATION, INC.**

NBAA and its Member Companies recognize and appreciate the need for security enhancements within our aviation system. When the original rule was developed, there was concern that the affected community was not engaged. NBAA submitted a comment on August 16, 2002 regarding the original rule and wishes to re-iterate the comments made at that time.

NBAA believes the final rule issued by the Federal Aviation Administration (FAA) is intended to regulate part 121 equivalent foreign carriers as defined in part 129. However, as the rule was originally written it regulated operations beyond the scope of those that are equivalent to part 121. Contained within its August 16, 2002, NBAA suggested that language be incorporated exempting aircraft with a maximum seating capacity of 19 or less.

The amendment as written includes the following language:

“129.28 (e) The requirements of paragraph (a) through (d) except (d)(3), do not apply to transport category passenger carrying airplanes originally type certificated with a maximum passenger seating configuration of 19 seats or less, or to all-cargo airplanes with a payload capacity of 7,500 pounds or less.”

Although the language has been expanded to include certain all-cargo airplanes, NBAA appreciates the responsiveness of the FAA as reflected in this amendment is in full support of it continuance.

Respectfully submitted,

John W. Olcott  
President